

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 31C  
Amend No. \_\_\_\_\_

Date Prepared: April 11, 2008

Council Meeting Date: May 6, 2008

**TO:** Terry Ellis, City Manager  
**FROM:** *DM* David A. Moody, P. E., Engineering Director  
**PREPARED BY:** Dan Nissen, P. E., Assistant City Engineer *DN*  
**SUBJECT:** Granting of Preliminary Acceptance of the Edgewater Park at Westbrook Village Private Streets (Project No. M-0705)

**RECOMMENDATION:**

That Mayor and Council grant preliminary acceptance of the Edgewater Park at Westbrook Village private streets and authorize staff to coordinate with the Homeowners Association to prepare the necessary documents for final acceptance subject to the following stipulations:

- 1) HOA shall hire a professional engineer to prepare the amended final plat
- 2) HOA shall hire a professional engineer to prepare the necessary documents for formation of the Street Light Improvement District (SLID) and execute the required petitions
- 3) The HOA shall provide a payment to the City in the amount estimated at \$186,126.07 for hiring a contractor to complete the improvements identified on Attachment A to bring the private streets to public street standards and remove and install the identified signs
- 4) The HOA enter into a Blue Stake and Maintenance Agreement with the City
- 5) Provide record drawings of the landscape irrigation system.
- 6) The HOA retain ownership and maintenance responsibility of the private off-street parking areas
- 7) The HOA retain maintenance responsibility of the drainage spillways and maintain the spillways in accordance with the City's Storm Water Management Plan
- 8) The HOA retain maintenance responsibility for all landscaping within the "dedicated right-of-way" and pay all costs related to irrigation system electrical and water usage
- 9) Construct a new water service and meter for the community pool
- 10) The HOA shall provide a title policy with a commitment in the amount of \$5,000
- 11) The HOA shall provide all needed improvements for water service system to comply with City of Peoria standards of construction and metering.

**CITY CLERK USE ONLY:**

Consent Agenda  
 Carry Over to Date: \_\_\_\_\_  
 Approved  
 Unfinished Business (Date heard previous: \_\_\_\_\_)  
 New Business

ORD. # \_\_\_\_\_ RES. # \_\_\_\_\_  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

**SUMMARY:**

In accordance with Administrative Policy AP1-11, Street Conversion Public and Private, the Edgewater Park Homeowners Association (HOA) submitted a request for the City to consider converting the private streets to public streets. Upon receipt of the request all impacted departments were notified and conducted an evaluation of the existing Edgewater Park private streets.

On August 21, 2007, a letter from the City summarizing staff's findings and recommendations to bring the private streets to public street standards was submitted to the Edgewater Park HOA. Staff and the HOA have reviewed the specific items. On March 12, 2008, staff received a letter from the HOA confirming that they agree with all recommendations and associated costs, with the exception of one. The HOA has requested that they not be required to form a Street Light Improvement District (SLID) and be allowed to continue the existing agreement with APS for the payment of monthly utility invoices and maintenance of the street lights. Staff is recommending that the HOA be required to form the SLID because the Policy does not allow the formation of a SLID to be waived.

A summary of the City of Peoria Department findings is provided on Attachment A. The water system estimate is for budget purposes only. Actual cost will be available upon receipt of contractor proposal.

The estimated cost to bring the private streets to City standards is \$186,126.87. Once final costs are received from Contractor, the HOA shall remit payment to the City upon final acceptance of the private streets.

DESCRIPTION	ESTIMATE
Pay SLID formation application fee	\$ 400.00
Reimburse City for videoing & cleaning sewer system	\$ 3,945.22
Pay City to upgrade the water system	\$117,000.00
Reimburse City for remainder of Coring Contract	\$ 657.50
Pay City to remove & replace 2 valley gutters	\$ 4,000.00
Pay City to apply rubber chip seal on all internal streets	\$ 24,000.00
Remove & replace 9 street signs	\$ 1,170.00
Cost to purchase street light from APS	\$ 5,000.00
Annual street sweeping - 1 year	\$ 1,700.00
<b>SUB-TOTAL:</b>	<b>\$157,872.72</b>
Contingency (12%)	\$ 18,944.73
Sales Tax (.081 x 0.65)	\$176,817.44 x 0.05265 = \$9,309.44
<b>TOTAL:</b>	<b>\$186,126.87</b>

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The following is a summary of the remaining steps to accomplish final acceptance of the private streets:

1. Preliminary acceptance of the private streets by City Council
2. Staff will notify the HOA of preliminary acceptance
3. HOA shall hire a professional engineer to prepare documents for the formation of the SLID and the amended final plat
4. Amended final plat to be submitted to Council for consideration
5. Submit formation of SLID to Council for consideration
6. City to invoice HOA
7. HOA remit payment to the City
8. The City shall hire a contractor to complete the upgrades identified above
9. City issue notice of final acceptance to HOA

**ATTACHMENT(s):**

1. Attachment A
2. Exhibit A

## ATTACHMENT A

### EDGEWATER PARK AT WESTBROOK VILLAGE

#### CITY OF PEORIA DEPARTMENT FINDINGS

##### UTILITIES DEPARTMENT:

##### WATER SYSTEM:

- The 2 master meters must be removed and salvaged and a 6" section of pipe installed.
- The existing water meter boxes must be relocated and new ¾" water meters must be installed at each lot.
- The existing 2" landscape water meters and backflow preventers must be replaced to meet City standards
- The HOA shall pay the City to repaint the existing fire hydrants from red, which designates that the hydrants are part of a private water system, to the standard yellow, which designates the hydrants are part of a public water system.
- The HOA shall pay the City to install missing hydrant markers in the streets.
- Raise fire hydrant located by lot 81 to grade
- Install new box for blow-off by lot 29
- The Utilities Department will make arrangements with the HOA to meet at the site and exercise the water valves within the subdivision. The HOA will be responsible to pay the City to replace any broken water valves.

##### WASTEWATER SYSTEM:

- The Utilities Department videoed and cleaned the Edgewater Park sanitary sewer system. All of the roots and other debris were removed from the sewer system. No major defects were found.
- Staff is recommending that the sewer manholes be coated for roaches prior to acceptance of the private streets by the City.

## **PUBLIC WORKS DEPARTMENT:**

### **STREETS:**

The Public Works Department evaluated the private streets at Edgewater Park and identified the following existing conditions.

- The existing private streets in Edgewater Park subdivision are typically 20' wide and are considered to be sub-standard compared to the City's typical local street width of 32'. The private drives show a significant amount of pavement distresses, such as weathering and raveling, transverse and longitudinal cracking, alligator cracking, and utility patches that are failing. In an attempt to decrease the rate of deterioration of the private streets, it is recommended that the HOA pay for the placement of a rubber chip seal application prior to acceptance of the private streets by the City of Peoria.
- The Public Works Department hired Mactec to conduct 5 cores at the Edgewater Park subdivision to determine the structural section of the streets. According to the core results, the structural section of the existing streets does not meet current City standards for local streets. However, the core results do show that the structural section of the existing streets meet the section identified on the record drawings, which comply with the City's minimum structural standards for local streets standards in the 1980's, and can be accepted in the City's street system subject to the HOA paying for the application of a rubber chip seal. The rubber chip seal is considered an interim maintenance measure. The streets will have to be reconstructed within the next ten years.
- An Edgewater Park Street reconstruction project will be submitted for consideration in the City's 10 year Capital Improvement Program.
- The existing concrete (curbs, gutters, valley gutters and spillways) is in fair to poor condition. There are 2 existing valley gutters that need to be replaced. Fortunately, it does not look like water is penetrating into the base, yet. The HOA will be responsible to pay for the removal and replacement of the 2 valley gutters.
- There are 4 separate parking areas (Taro Lane and 97<sup>th</sup> Lane – 2 each) that set back behind the curb and gutter and beyond the limits of the dedicated private drive access. These types of parking area are not typical to a standard City of Peoria local street section. Therefore, the Public Works Department has recommended that the 4 parking areas not be accepted in to the City's street system for operation and maintenance. The Edgewater Park HOA shall retain ownership and maintenance responsibility of the 4 parking areas.

### **SIGNAGE AND PAVEMENT MARKINGS:**

- The Public Works Department has identified several signs located within the Edgewater Park subdivision that do not meet current City standards. The HOA shall be responsible to

pay the City to remove the sub-standard signs and replace with new City signs. Nine street names signs, stop signs and private street signs must be replaced.

- The "No Parking" signs shall remain in place as a result of the street width being sub-standard.

#### STREET LIGHTS:

- The 10 existing street lights meet current City standards and the HOA must pay the cost to bring the street lights in to the City's street light system.

#### STORMWATER AND SWEEPING:

- The Edgewater Park subdivision is designed such that the run-off from the private drives is routed through the streets and to 3 spillways which ultimately discharge to Westbrook Parkway. The 10' wide drainage easements will remain dedicated to the HOA and the HOA will retain maintenance responsibility for the 3 spillways.

- Sweeping will be difficult and less effective due to the radii of the private drives, however, the City's sweepers will still be able to handle this area. The Public Works Department is recommending that the HOA pay for 1 year of street sweeping. The continual sweeping of the streets will be absorbed into the city's existing route.

#### COMMUNITY SERVICES DEPARTMENT:

##### LANDSCAPE:

- The Public Works and Community Services Departments recommend that the maintenance of the landscape and irrigation system located within the medians on Taro Lane, Kerry Lane and 97<sup>th</sup> Lane remain the responsibility of the Edgewater Park HOA. Landscape within the common areas shall also remain the responsibility of the HOA. A statement shall be included on the amended final plat.
- The Edgewater Park HOA shall be responsible for the maintenance of the irrigation system located within the dedicated right-of-way. A statement shall be included on the amended final plat.
- The Edgewater Park HOA shall be responsible to execute a Blue Stake and Maintenance Agreement which requires the HOA to be responsible for maintaining and repairing the irrigation system that may cross below the public streets, and meeting all Blue Stake requirements associated with the irrigation system.
- The HOA is responsible to hire a registered professional engineer to amend the final plat to meet City standards, dedicate the area designated as Private Streets as public right-of-way, with the exception of the parking areas and dedicate an 8' Public Utility Easement (PUE).

- The Edgewater Park HOA shall provide to the City a copy of the irrigation system record drawings.
- The Edgewater Park HOA shall be responsible to pay all electrical and water bills associated with the irrigation system.

**ENGINEERING DEPARTMENT:**

**AMENDED FINAL PLAT:**

- In accordance with the City's Development Guidelines which can be found on the Engineering Department's webpage, the HOA will be responsible to hire a professional registered engineer to amend the Edgewater Park at Westbrook Village final plat. The amended final plat shall be submitted through the Engineering Department Development Division.
- The HOA will be responsible to hire a professional registered engineer to prepare the necessary documents for the formation of a Street Light Improvement District (SLID). The formation of the SLID shall be coordinated with the Engineering Department Development Division.

# EDGEWATER PARK AT WESTBROOK VILLAGE



EXHIBIT A